

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDDIE PERKINS,

Petitioner,

v.

CASE NO.: 05-CV-72891-DT
HONORABLE PATRICK J. DUGGAN

MILLICENT WARREN,

Respondent.

ORDER DENYING PETITIONER'S MOTION
FOR APPOINTMENT OF COUNSEL

At a session of said Court, held in the U.S.
District Courthouse, City of Detroit, County
of Wayne, State of Michigan on August 2, 2005.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Petitioner Eddie Perkins has filed a *pro se* application for the writ of habeas corpus under 28 U.S.C. § 2254. The habeas petition attacks Petitioner's 2001 state convictions on nine grounds.

Currently pending before the Court is Petitioner's motion for appointment of counsel. Petitioner alleges that he is unable to retain counsel and that he will be requesting oral arguments on complex issues.

Petitioner has no absolute right to appointment of counsel. *Pennsylvania v. Finley*, 481 U.S. 551, 555, 107 S. Ct. 1990, 1993, 95 L. Ed. 2d 539 (1987); *Cobas v. Burgess*,

306 F.3d 441, 444 (6th Cir. 2002) (citing *McCleskey v. Zant*, 499 U.S. 467, 495, 111 S. Ct. 1454, 1471, 113 L. Ed. 2d 517 (1987)), *cert. denied*, 538 U.S. 984, 123 S. Ct. 1793, 155 L. Ed. 2d 677 (2003). Furthermore, neither discovery nor an evidentiary hearing are necessary at this time, and the interests of justice do not require appointment of counsel. 18 U.S.C. § 3006A(a)(2)(B). Accordingly, the Court **DENIES** Petitioner's motion for appointment of counsel [Doc. #3, July 22, 2005]. The Court will reconsider Petitioner's motion, if necessary, following receipt of the responsive pleading and state court record.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT COURT JUDGE

DATE: August 2, 2005